



DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-839]

Steel Propane Cylinders from Thailand: Final Results of Antidumping Duty Administrative Review; 2020-2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Sahamitr Pressure Container Plc. (also known as Sahamitr Pressure Container Public Company Limited) (SMPC) made sales of subject merchandise in the United States at prices below normal value (NV) during the period of review (POR) August 1, 2020, through July 31, 2021.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-7851.

SUPPLEMENTARY INFORMATION:

Background

On September 6, 2022, Commerce published the *Preliminary Results* of the 2020-2021 administrative review of the antidumping duty order on steel propane cylinders from Thailand and invited interested parties to comment.¹ This review covers one producer/exporter of the subject merchandise, SMPC.² For a summary of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.³ Commerce conducted this review in

¹ See *Steel Propane Cylinders from Thailand: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021*, 87 FR 54476 (September 6, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 55811 (October 7, 2021).

³ See Memorandum, “Steel Propane Cylinders from Thailand: Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review; 2020-2021,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the *Order*⁴

The merchandise covered by this *Order* is steel propane cylinders from Thailand. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised by parties in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is included in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the *Preliminary Results*

Based on comments received from interested parties regarding our *Preliminary Results* and our review of the record to address those comments, we made certain changes to the preliminary weighted-average dumping margin calculations for SMPC, as detailed in the Issues and Decision Memorandum.

Final Results of Review

As a result of this administrative review, Commerce determines that the following weighted-average dumping margin exists for the POR, August 1, 2020, through July 31, 2021:

Exporter/Producer	Weighted-Average Dumping Margin (percent)
Sahamitr Pressure Container Plc.	10.64

Disclosure

⁴ See *Steel Propane Cylinders from the People's Republic of China and Thailand: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Orders*, 84 FR 41703 (August 15, 2019) (*Order*).

Commerce intends to disclose the calculations performed for these final results within five days of the date of publication of this notice in the *Federal Register*, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.213, and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with these final results of review.⁵ Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales for which entered value was reported. Where the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's "reseller policy" will apply to entries of subject merchandise during the POR produced by SMPC for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.⁶

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

⁵ See 19 CFR 351.212(b).

⁶ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for SMPC will be equal to the weighted-average dumping margin that is established in the final results of this review (except if that rate is *de minimis*, in which situation the cash deposit rate will be zero); (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer has been covered in a prior complete segment of this proceeding, the cash deposit rate will be the company-specific rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers and exporters will continue to be 10.77 percent *ad valorem*, the all-others rate established in the LTFV investigation.⁷

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

⁷ See *Steel Propane Cylinders from Thailand: Final Determination of Sales at Less Than Fair Value*, 84 FR 29168, 29169 (June 21, 2019).

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: March 2, 2023.

Lisa W. Wang,
Assistant Secretary
for Enforcement and Compliance.

Appendix
List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
 - Comment 1: Whether Refrigerant Cylinders Should be Excluded from SMPC's Margin Calculation
 - Comment 2: Whether Commerce Should Revise its Model Match Methodology and Add "Type of Gas" as a New Characteristic
 - Comment 3: Whether to Revise Certain Date Variables
 - Comment 4: Calculation of Billing Adjustments
 - Comment 5: Use of Consistent Weight Data for the Sales and Cost Databases
 - Comment 6: Whether to Revise Commerce's Final Liquidation Instructions
 - Comment 7: Differential Pricing
- VI. Recommendation

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